

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNS ENERGY CORPORATION, an Arizona  
corporation, and TUCSON ELECTRIC  
POWER COMPANY, an Arizona corporation,

Plaintiffs,

v.

CIVIL NO. 1:24-cv-00556-KG-LF

SHIVER SOUTHWEST, LLC, an Arizona  
limited liability company, JAMES B.  
SHIVER, JR., JACOB B. SHIVER, SHIVER  
BROTHERS, INC., a New Mexico  
corporation, and SHIVER CONSTRUCTION  
COMPANY, a New Mexico corporation,

Defendants.

**STIPULATED ORDER OF DISMISSAL WITH PREJUDICE**

THIS MATTER comes before the Court on the *Joint Motion for Dismissal With Prejudice* filed by all parties on June 26, 2025 (ECF No. 51) (the “Joint Motion”). The Court, having reviewed the Joint Motion and being fully advised in the premises, and being advised that all claims that were or that could have been brought by Plaintiffs against Defendants have been amicably resolved, FINDS that the Joint Motion is well-taken and should be GRANTED.

THEREFORE, IT IS HEREBY ORDERED, ADJUGED, AND DECREED that this matter is dismissed with prejudice. Each party shall bear its own costs and fees.

/s/ \_\_\_\_\_  
KENNETH J. GONZALES<sup>1</sup>  
CHIEF UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Please note that this document has been electronically filed. To verify its authenticity, please refer to the Digital File Stamp on the NEF (Notice of Electronic Filing) accompanying this document. Electronically filed documents can be found on the court’s PACER public access system.

Approved and submitted by:

/s/ Stephen B. Waller

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Approved via e-mail on 06/25/2025

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